

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By Chairman Diane Rice, on January 25, 2007 at 8:00 A.M., in Room 137 Capitol.

ROLL CALL

Members Present:

Rep. Diane Rice, Chairman (R)
Rep. Dave Gallik, Vice Chairman (D)
Rep. Ron Stoker, Vice Chairman (R)
Rep. Douglas Cordier (D)
Rep. Robyn Driscoll (D)
Rep. Bob Ebinger (D)
Rep. George Everett (R)
Rep. Julie French (D)
Rep. Rick Jore (C)
Rep. Krayton Kerns (R)
Rep. Roger Koopman (R)
Rep. Deborah Kottel (D)
Rep. Tom McGillvray (R)
Rep. Jesse O'Hara (R)
Rep. Ken Peterson (R)
Rep. Holly Raser (D)
Rep. John Ward (R)

Members Excused: None.

Members Absent: None.

Staff Present: David Niss, Legislative Branch
Pam Schindler, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 68, HB 329, HB 361, HB 370,
HB 355 1/18/2007
Executive Action: None

HEARING ON HB 355

Opening Statement by Sponsor:

00:00:56 Rep. Carol Lambert (R), HD 39, opened the hearing on HB 355, Require background checks for commercial drivers transporting passengers.

Proponents' Testimony:

00:06:32 Joanne Verwolf, Safe, Reliable, Affordable and Accessible Transportation Services Company
00:11:01 Mary Millen, self
00:13:58 Shyla Patera, North Central Independent Living Services

Opponents' Testimony: None

Informational Testimony:

00:16:52 Brenda Nordlund, Assistant Attorney General, Department of Justice

Questions from Committee Members and Responses:

00:20:23 Rep. Ward
00:20:51 Rep. Lambert
00:23:10 Rep. Kottel
00:25:23 Rep. Lambert
00:25:57 Rep. Everett
00:26:11 Rep. Lambert
00:26:56 Ms. Millen
00:27:21 Rep. French
00:28:33 Ms. Nordlund
00:31:42 Rep. Koopman
00:32:37 Ms. Nordlund
00:35:09 Rep. Peterson
00:36:01 Ms. Nordlund
00:36:34 Rep. Stoker
00:37:40 Ms. Nordlund
00:39:26 Rep. Rice
00:39:35 Ms. Millen
00:40:17 Rep. Stoker
00:40:26 Ms. Millen

Closing by Sponsor:

00:40:51 Rep. Lambert

HEARING ON HB 329

Opening Statement by Sponsor:

00:43:19 Rep. Jonathan windy boy (D), HD 32, opened the hearing on HB 329, Increase penalties for partner or family member assault.

Proponents' Testimony:

00:48:53 Monica Diagos, self, Meadowlark Property Management Co.
00:51:49 Kelsen Young, Executive Director, Montana Coalition Against Domestic and Sexual Violence Coalition
00:55:31 Ali Bovington, Assistant Attorney General, Department of Justice

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:58:19 Rep. Stoker
00:58:41 Ms. Bovington
00:59:27 Pam Bucy, Assistant Attorney General, Department of Justice
01:00:09 Rep. Ebinger
01:00:39 Ms. Young
01:00:47 Ms. Bucy
01:01:14 Rep. Peterson
01:01:37 Ms. Bovington
01:03:45 Rep. Peterson
01:04:18 Rep. Windy Boy
01:06:30 Rep. McGillvray
01:06:54 Ms. Bovington
01:07:10 Rep. Windy Boy
01:07:26 Rep. French
01:07:55 Ms. Bucy

Closing by Sponsor:

01:08:41 Rep. Windy Boy _____

HEARING ON HB 68

Opening Statement by Sponsor:

01:11:16 Rep. Deborah Kottel (D), HD 20, opened the hearing on
HB 68, Require charities to register with state.

Proponents' Testimony:

01:19:44 Sen. Christine Kaufmann, SD 41

01:22:53 Pam Bucy, Assistant Attorney General, Department of
Justice

[EXHIBIT\(juh17a01\)](#)

[EXHIBIT\(juh17a02\)](#)

[EXHIBIT\(juh17a03\)](#)

01:28:44 Michael O'Brien, Business Securities Division,
Department of Secretary of State

01:31:12 Brian Magee, Executive Director, Montana Non-Profit
Association

01:36:34 Stacy Anderson, Past President, Montana Shares

Opponents' Testimony: None

Informational Testimony:

01:38:33 Mike Foster, Sisters of Charity Hospitals of Montana

Questions from Committee Members and Responses:

01:41:08 Rep. Everett

01:41:32 Mr. O'Brien

01:42:05 Rep. Stoker

01:42:35 Mr. O'Brien

01:43:17 Ms. Bucy

01:44:47 Rep. Driscoll

01:45:01 Ms. Bucy

01:45:27 Rep. McGillvray

01:45:56 Ms. Bucy

01:49:36 Rep. Stoker

01:50:03 Ms. Bucy

01:50:34 Rep. Peterson

01:50:42 Ms. Bucy

01:52:19 Anthony Johnstone, Assistant Attorney General,
Department of Justice

01:54:45 Ms. Bucy

01:55:30 Mr. Johnstone

02:01:27 Rep. Driscoll

02:02:07 David Niss, Legislative Staffer

02:03:11 Ms. Bucy
02:04:28 Rep. Rice
02:04:52 Ms. Bucy

Closing by Sponsor:

02:05:44 Rep. Kottel

02:08:14 Break
02:26:53 Reconvene

HEARING ON HB 361

Opening Statement by Sponsor:

02:27:15 Rep. Deborah Kottel (D), HD 20, opened the hearing on
HB 361, Revise law on proxy marriage.

EXHIBIT(juh17a04)

Proponents' Testimony:

02:31:36 Ann Gilkey, State Bar of Montana
02:32:32 Marie Connelly, State Bar of Montana

EXHIBIT(juh17a05)

02:37:44 Peg Allison, Clerk of District Court, Flathead County

Opponents' Testimony: None

Informational Testimony:

02:40:59 Nancy Sweeney, Clerk of District Court, Lewis and Clark
County

Questions from Committee Members and Responses:

02:42:57 Rep. O'Hara
02:43:12 Ms. Allison
02:44:19 Rep. Kottel
02:44:36 Ms. Sweeney
02:45:09 Ms. Allison
02:45:25 Rep. Gallik
02:49:50 Ms. Allison
02:50:28 Rep. Kottel
02:54:25 Rep. Peterson
02:54:48 Ms. Gilkey
02:55:21 Ms. Allison

Closing by Sponsor:

02:56:15 Rep. Kottel

HEARING ON HB 370

Opening Statement by Sponsor:

02:57:07 Rep. JP Pomnichowski (D), HD 63, opened the hearing on HB 370, Uniform penalty and enforcement for zoning violations.

Proponents' Testimony:

03:02:10 Harold Blattie, Executive Director, Montana Association of Counties

03:04:16 Mike Harris, Legislative Liaison, Gallatin County

[EXHIBIT \(juh17a06\)](#)

03:08:46 Alec Hansen, League of Cities and Towns

Opponents' Testimony:

03:10:48 Joe Roberts for Glen Oppel, Montana Realtors Association

Informational Testimony:

03:14:15 Amy Waring, Zoning Enforcement, Gallatin County

Questions from Committee Members and Responses:

03:15:55 Rep. Stoker

03:16:10 Mr. Blattie

03:16:45 Rep. Everett

03:17:03 Mr. Blattie

03:18:05 Rep. Rice

03:18:30 Mr. Blattie

03:19:28 Rep. Gallik

03:19:47 Mr. Blattie

03:22:59 Rep. Peterson

03:23:14 Mr. Hansen

03:25:21 Mr. Blattie

03:26:01 Rep. Koopman

03:26:45 Ms. Waring

03:29:36 Mr. Harris

03:34:14 Ms. Waring

03:35:22 Rep. Stoker

03:35:33 Mr. Blattie

03:36:39 Rep. Peterson

03:36:40 Mr. Harris

Closing by Sponsor:

03:39:11 Rep. Pomnichowski

03:41:11 Rep. Ebinger

03:41:20 Chairman Rice

ADJOURNMENT

Adjournment: 11:42 A.M.

REP. DIANE RICE, Chairman

PAM SCHINDLER, Secretary

DR/ps

Additional Exhibits:

EXHIBIT ([juh17aad.pdf](#))